

REMARKS

Reconsideration of the present application is requested. Applicants appreciate the Examiner's withdrawal of the previous rejection in view of the PRE-APPEAL BRIEF CONFERENCE. It is noted, however, that the Examiner has issued a new anticipation rejection over U.S. Patent No. 6,449,715, which was previously applied in the obviousness rejection, which is now withdrawn.

PRIOR ART REJECTIONS

Rejection under 35 U.S.C. § 102(e)

Claims 1-14 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,449,715 ("Krivoshein"). This rejection is respectfully traversed.

As Applicants have previously pointed out, claim 1 requires, *inter alia*, "a third connecting device, connected to the data processing device, for a third data bus, as additional to the first and second data buses, *to allow data to be interchanged between the three data buses*, wherein the second data bus is a different type of bus system than the first data bus, and the third data bus is a different type of bus system than the first data bus and the second data bus." This feature is not disclosed or suggested by Krivoshein.

On page 3 of the Office Action, the Examiner directs Applicants' attention to column 7, lines 42-47 of Krivoshein to disclose that the controller 12 allows data to be interchanged between the Profibus network 34 and the AS-interface network 36. Applicants disagree.

Column 7, lines 42-47 of Krivoshein state:

The controller 12 is coupled to numerous field devices within different device networks, including a Fieldbus device network 30, a HART device network 32, a Profibus device network 34 and an AS-Interface device network 36 via local connections or lines.

Contrary to the Examiner's interpretation, this portion of Krivoshein does not disclose or even fairly suggest that the controller 12 allows data to be interchanged between the Fieldbus, Profibus and/or AS-interface networks. At most, column 7, lines 42-47 merely discloses that the controller is coupled to each of these device networks.

In further discussing the capabilities of the controller 12, column 7, lines 51-56 of Krivoshein states:

The controller 12 implements or oversees one or more process control routines stored therein or otherwise associated therewith and communicates with devices within the device networks 30, 32, 34 and 36 and with the host workstations 14 to control a process and to provide information pertaining to the process to a user.

But, this portion of Krivoshein also fails to disclose or fairly suggest that the controller 12 allows data to be interchanged *between* the device networks 30, 32, 34, 36 (or the bus systems used therein for that matter). At most, this portion of Krivoshein merely discloses that the controller 12 allows the user to separately control processes within each of the device networks 30, 32, 34 and 36, and to receive information pertaining to processes separately from each of the device networks 30, 32, 34 and 36. Indeed, the absence of any mention that the controller 12 allows data to be interchanged between the device networks 30, 32, 34 and 36 supports the conclusion that the controller 12 is not capable of doing so.

FIG. 2 of Krivoshein also fails to disclose that the Fieldbus device network 30, the HART device network 32, the Profibus device network 34, and the AS-interface device network 36 are connectable in the manner required by claim 1. In particular, Krivoshein fails to disclose a separate connecting device for each data bus, the connecting devices and/or a data processing device connecting data buses of different types of bus systems *to allow data to be interchanged between the data buses*.

To the contrary, this portion of Krivoshein merely discloses a user input section 74 which prompts or otherwise enables a user to input information pertaining to any or all of the devices.¹ Therefore, Krivoshein does not disclose connecting devices coupled to data buses having different types of bus systems to allow data to be interchanged *between* those devices.

For at least the foregoing reasons, Applicants submit that claim 1 is patentable over Krivoshein. Claims 2-14 are patentable over Krivoshein at least by virtue of their dependency from claim 1.

In addition to the reasons set forth above, claim 3 is also patentable over Krivoshein for the reasons set forth below.

The Examiner submits that the Abstract of Krivoshein discloses semantics of the data to be transmitted; relying primarily on the mention of "protocol." Applicants respectfully disagree.

The protocol mentioned in the Abstract of Krivoshein is not the same as the semantics of claim 3. For example, Applicants' specification at least at paragraph [0008] discloses that the coupling apparatus may be configured in

¹ See Krivoshein at 13:20-23.

such a way that the data transfer between two or three of the data buses may be controlled as a function of the semantics of the data to be transmitted, for example, it may be possible to configure the transmission of standard data differently to that for the transmission of safety-relevant or security-relevant data. Accordingly, example embodiments disclosed in Applicant's specification may allow for the transfer of data to be controlled based on the type of data, e.g., the semantics of the data, to be transferred.

The portion of the Abstract of Krivoshein discussing "protocol," states:

A configuration system for use in a process control network having a controller, a first device network that communicates using a first input/output protocol, such as a Fieldbus or a HART device protocol, and a Profibus network that communicates using a Profibus input/output communication protocol ...

The first instance of "protocol" in the Abstract of Krivoshein refers to the communication protocol of the first device network device (e.g., a Fieldbus or a HART device). The second instance of "protocol" refers to the Profibus communication protocol used to communicate with the Profibus network. This portion of Krivoshein does not disclose or fairly suggest that the transfer of data is controlled based on the type of data, e.g., the semantics of the data, to be transferred. Indeed, at most, "protocol" refers to the format in which a type of data is communicated, not the type of data itself.

Therefore, Applicants respectfully submit that Krivoshein fails to disclose, teach or suggest at least the feature, "*the coupling apparatus is configurable in such a way that the data transfer between at least two of the data buses is*

controllable as a function of the semantics of the data to be transmitted,” of dependent claim 3.

For at least the foregoing reasons, withdrawal of the rejection of claim 3 is requested.

CONCLUSION

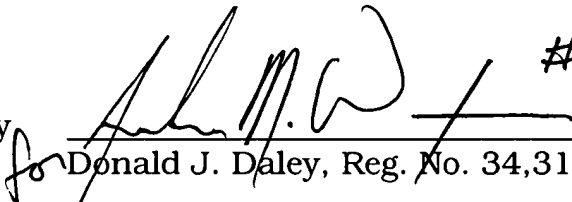
Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-14 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Andrew M. Waxman at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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